

# ECF Informer

ISSUE 11

MAY 2008

## Withdrawing Alternatives

While efilg, you may have occasion to need to deal with something that has been efiled. An filer may withdraw pleading, by filing a notice of withdrawal, because it was filed with an incorrect, incomplete, or "flawed" image, or with a pleading that belongs to another case. When deciding how to rectify this error, please decide whether **filing a notice of withdrawal** or **amending** is more appropriate. Also, when a pleading is missing an exhibit, use the event codes "Support document" or "Exhibit" and link the exhibit back to the original pleading. This too is a perfectly acceptable method of "fixing" the problem.

When making the decision to file a notice of withdrawal or amending your pleading, time periods may have to be considered. Please be cautious and aware of due dates and deadlines if you decide to withdraw your pleading rather than amending. If the pleading is incomplete for some reason, perhaps just filing an "amended" version will suffice. Simply withdrawing something, then refileing it sometimes entails more work (and more potential for confusion), then simply amending the document that was originally filed.

### Alternatives to Withdrawing a document:

- Amending
- Using the event codes "Support Document" or "Exhibit"

Finally, please remember that there are four documents that **absolutely cannot** be withdrawn: the voluntary petition; a notice of conversion from 13 to 7; a notice of appeal; and, a complaint. Also, withdrawing a notice of appearance does not release an attorney from further affiliation with a client in a specific case. The attorney must obtain an order if he/she wishes to withdraw representation in a case

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## Advice on Payment Advices

When filing Pay Advices for your client(s), please be specific with your entry as to whose Pay Advices you are filing. It is perfectly acceptable to file both sets in a joint case using one image, but be sure to chose "both" when you are at the appropriate screen. If filing Pay Advices for just one of the debtors, please be sure to use the appropriate choice from the pick-list, depending on your attached image. If one debtor is not required to file Pay Advices (e.g. unemployed, homemaker, etc.), there is no need to file anything UNLESS an Order to Show Cause re: Pay Advices has been entered.

**ECF**  
**Debtor Events:**  
08-20001 Kenneth Barbee and  
Type: bk  
Judge: GEC  
**Select a Filer**  
Debtor  
Joint Debtor  
Both

### NEW FUNCTION NOW AVAILABLE IN CM/ECF

#### PRESET HEARINGS

*Did you get your preset training guide? If not please let us know and we will be happy to send one to you or click [here](#). The training guide includes:*

- Information on the available pre-set report
- Docketing pre-sets in CM/ECF
- Guidelines for using the pre-set report and docketing a Notice of Hearing

## Multi-Part Events

Did you know that ECF filing users can docket multiple events together as long as the events reside in the same category? For example a user can docket a Motion to Assume or Reject and also a Motion for Relief From Stay. The events can be filed together simply by selecting them from the motions event list. To multi-select events within a category, a user selects the first event and then scrolls to the next event. They can select the second

or third event by holding down the <Ctrl> key and mouse clicking the event.

As the user proceeds through the event to the final docket text, they are presented with an option for each event selected to add language such as “in addition to” or “or in the alternative.” If one of these options is selected, the text will be added to the final docket text. Users are instructed to call the help desk for any questions regarding this feature (801)-450-3443).

## CM/ECF 3.2 Coming Soon

The Administrative Office of the US Courts has released the next version of CM/ECF. Implementation of this new version into Utah’s database, is anticipated some time in the summer of 2008. Some of the highlights of CM/ECF version 3.2 include:

- User Interface - New Cascading Menus which offer preview of events in each category and the ability to use keyboards for selecting rather than mouse clicking;
- User Interface - New Search Menu and Event pop-up window appears for a text search;
- User Interface New Event Search - Docketing is made easier with an event look-up (results will show a list of those events which match). Selecting a search match will shortcut directly to the search event;
- Docketing - Enhanced Calendar pop-up now includes federal holidays;
- New Padlock Icons appear on restricted/unrestricted transcripts;
- Claim Filing - Enhanced Amended Proof of Claims. A new find button assists with finding claims and correctly linking amended claim to original claim;
- Claim Filing - Additional pop-up help windows;
- Reports - Some reports have been enhanced.

## Bankruptcy Filing Statistics Through April 2008

CHAPTER	JANUARY	FEBRUARY	MARCH	APRIL
7	251	323	459	524
13	279	294	338	302
11	10	2	8	12
12	0	0	0	0
2008	540	619	805	838
2007	368	400	593	583

Filings through April 30, 2008 increased 44% compared with filings through April 30, 2007

- For January ECF Filers opened 87% of the new cases
- For February ECF Filers opened 88% of the new cases
- For March ECF Filers opened 89% of the new cases
- For April ECF Filers opened 89% of the new cases

## Different Court, Different ECF System

We have new attorneys filing electronically every day. Many of these attorneys are familiar with the Federal District Court electronic filing system. If you have filed in District Court of Utah or even another federal court in the nation and now have electronic access to the Utah Bankruptcy Court, you may have discovered that not all things are created equal. Be prepared to see differences in the ECF system and local procedures. The systems may look alike but incorrect entries may affect your filing. One important difference is the process of submitting proposed orders to the court for signature. The Bankruptcy Court has a Pending Order Upload option on the category list, while in District Court the procedure is to attach a pending order to the motion. If the proposed order is not submitted to the Bankruptcy Court correctly, the pending order may be delayed or overlooked entirely. While we're on the subject of proposed orders, a requirement that some filers have found out about the hard way is the 2 ½ inch margin on the top of the first page of a pending order that is required by local rule. This may cause your order to be entered on the docket as unsigned. Another significant difference is that electronic notification is received as a summary email with the Bankruptcy Court while District Court may send out individual notices to recipients throughout the day as documents are filed in a case. One other item to distinguish is that although District Court asks that all exhibits and support documents be filed as separate attachments, the **Bankruptcy Court does not**. We prefer that all documents be submitted as one image, unless they exceed the 2MB size limit allowed. This may require some skill in combining and extracting pages in Adobe Acrobat, but it is actually quite simple and we can help! Make your life easier, call the court at 524-6575 to send your staff to one of our training sessions or contact the ECF Helpdesk at (801)-450-3443, when you have questions.

## SOFA, DSO, N, E, S, W...What does this mean?

We would like to encourage our ECF users to shy away from the use of professional acronyms that, although easily recognizable by "insiders", do not make much sense to public readers of a case docket sheet. Such abbreviations as "SOFAS" or "DSO" may be confusing to those individuals that do not have a daily communication with bankruptcy-related matters. It is probable that these abbreviations are used in order to accomplish efilg tasks as quickly as possible, but please try not to sacrifice the quality of your entries for the quantities of entries.

In addition, when inputting an address for new debtors, please spell out "North", "West", "East", and "South" in order to eliminate any possible noticing problem that may arise from abbreviating a type of address that is prevalent in this district.

## Pleading Captions

Captions of papers filed with the court should conform to Official Forms B 16A (full caption) and B 16B (Short title) as well as Local Rule 9004-1. In the debtor information caption area, please do not add additional information other than the information listed below.

Name of Debtor	Bankruptcy Case No. _____
Address	Chapter _____
Redacted SSN/Tax Id #	Filed Electronically
Name of Adversary	Adversary Proceeding No. ____ [if applicable]
Proceeding [if applicable]	

United States Bankruptcy Court  
District of Utah

Honorable Glen Clark  
Chief Judge

David Sime  
Clerk of Court

Glenn Gregory  
Chief Deputy Clerk of Court  
801.524.6561  
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Helpdesk: 801.450.3443

Fax: 801.524.4409

We're on the web at  
[www.utb.uscourts.gov](http://www.utb.uscourts.gov)



# So Long , Hello , or

On March 1, 2008, Time Warner ended the development and technical support of the Netscape Navigator browser. To avoid potential security risks, it is recommended that all CM/ECF users of Netscape Navigator switch to a current version of Internet Explorer or Firefox, both of which are available for free download from the respective vendor's web site.

## Amending a Voluntary Petition

When a voluntary petition is amended, the information being modified is often very important to the case and usually requires the Clerk's Office to modify data elsewhere in the system. It is not always clear what part of the document is being changed. A new event has been created to make it easier to identify the new information and ensure all pertinent data is updated. The user will attach the modified

image and describe exactly what has been altered. A text box will appear on screen with the instructions: *Please specify what is being amended on the petition.* Describe the changes to the document. This text added by the user will be included in the language on the docket sheet.

ECF

Bankruptcy • Adversary • Query

**Debtor Events:**

[08-20051 Debra L. Sutherland](#)

Type: bk Chapter: 7 v Office: 2 (Salt Lake City)  
Judge: WTT Assets: n Case Flag: PetFeeDue

Please specify what is being amended on the petition

☒ Refer to existing event(s)?

Text added by the user will be reflected on the docket sheet

**TRAIN**

ECF

Bankruptcy • Adversary • Query • Reports • Utilities

**Debtor Events:**

[08-20051 Debra L. Sutherland](#)

Type: bk Chapter: 7 v Office: 2 (Salt Lake City)  
Judge: WTT Assets: n Case Flag: PetFeeDue

Docket Text: Final Text

Amended Voluntary Petition Re: Corrected spelling of debtor's first name (related document(s):[1] Voluntary Petition (Chapter 7) filed by Debtor Debra L. Sutherland) (Crockett, Kyle)

**TRAIN database**

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.